

(R-81-1823)

RESOLUTION NO. R- 254034

Adopted on APR 20 1981

A RESOLUTION DESIGNATING APRIL 24, 1981 AS THE DATE UPON WHICH ALL PROPERTY IN THE ADAMS AVENUE (I-15 TO VAN DYKE AVENUE) UNDERGROUND UTILITY DISTRICT MUST BE READY TO RECEIVE UNDERGROUND SERVICE AND JULY 1, 1981 AS THE DATE FOR THE REMOVAL OF ALL OVERHEAD UTILITY FACILITIES.

WHEREAS, This Council did on December 4, 1979 by Resolution No. R-250761 establish the ADAMS AVENUE (I-15 to Van Dyke Avenue) UNDERGROUND UTILITY DISTRICT which property in the district had to be ready to receive underground service and the date upon which the removal of all poles, overhead wires and associated overhead structures had to be effected was to be subsequently designated by resolution; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That April 24, 1981 be and the same is hereby established and designated as the date upon which all property within the ADAMS AVENUE (I-15 to Van Dyke Avenue) UNDERGROUND UTILITY DISTRICT must be ready to receive underground utility service and that July 1, 1981 be and the same is hereby designated as the date upon which all overhead utility facilities must be removed.

2. That the City Clerk is hereby directed to give notice to all affected persons as defined in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code and all affected utility companies of the adoption of this Resolution No. R-254034 within fifteen (15) days after the date of such adoption. The City Clerk shall specifically notify the affected persons that if they desire to continue to receive electric, communication, community antenna television or similar or associated service, they shall provide, at their own expense, all necessary facility changes on their premise so as to receive underground service

from the lines relocated underground of the supplying utility company subject to applicable rules, regulations and tariffs of the respective utility company on file with the Public Utilities Commission of the State of California and subject to all other applicable requirements of State law and City ordinances. The Clerk's notification shall be made in the manner provided in Chapter VI, Article 1, Division 5 of the San Diego Municipal Code.

3. The City Manager is hereby directed to give notice to such affected persons and affected utilities in accordance with Section 61.0511(b) of the San Diego Municipal Code.

APPROVED: John W. Witt, City Attorney

By

  
Robert S. Teaze, Asst. City Attorney

RST:vl:460  
3/30/81  
Or.Dept.: E&D  
FORM=r.uset

*R* 254034

02132

Passed and adopted by the Council of The City of San Diego on APR 20 1981,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-254034 Adopted APR 20 1981

RECEIVED  
CITY CLERK'S OFFICE  
MAY 11 AM 11:32  
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

San Diego, City of  
12th Floor, 202 C St.  
San Diego, CA 92101  
ATTN: E. Bovard

IN THE MATTER OF

NO.

Declaring the Intention of the City Council  
to Vacate Smith Street between Congress  
Street and Interstate 5/A.T. & S.F. Railroad Etc.

R 254033

**RESOLUTION OF INTENTION NO. R-254033**

A Resolution Electing to Proceed Under the Provisions of the Public Streets, Highways, and Service Easements Vacation Law, Declaring the Intention of the City Council to Vacate Smith Street between Congress Street and Interstate 5/A.T. & S.F. Railroad Rights-of-Way, and Fixing a Time and Place for Hearing Thereof.

BE IT RESOLVED, by the Council of The City of San Diego, that the public interest and convenience of said City require the vacation of a portion of the street hereinafter mentioned; and in connection therewith require the reservation of certain easements for Smith Street between Congress Street and Interstate 5/A.T. & S.F. Railroad rights-of-way in the area covered by such street.

BE IT FURTHER RESOLVED, that it is the intention of said Council to order the vacation of Smith Street between Congress Street and Interstate 5/A.T. & S.F. Railroad rights-of-way, as more particularly shown on Drawing No. 15178-B on file in the office of the City Clerk as Document No. RR-254033.

The Council hereby elects to proceed, in making said vacation, under the provisions of the "Public Streets, Highways, and Service Easements Vacation Law."

The Council hereby fixes 2:00 p.m. MAY 18, 1981 in the Council Chambers on the twelfth floor of the City Administration Building, Charles C. Dail Concourse, 202 "C" Street, in said City of San Diego, as the time and place for hearing all persons interested in or objecting to the proposed vacation.

That The Daily Transcript, a daily newspaper published and circulated, and of general circulation, in the said City of San Diego, be, and it is hereby designated as the newspaper in which the Street Superintendent of said City shall cause to be published, in the manner and form required by law, notice of the passage of this Resolution of Intention, and the Street Superintendent is hereby directed to cause notices of the passage of this resolution to be posted in the manner and form required by law and to cause a notice similar in substance to be published in said newspaper in the manner required by law.

Passed and adopted by the Council of The City of San Diego on April 20, 1981, by the following vote:

YEAS: Mitchell, Golding, Williams, Gotch, Murphy, Kilke.

NAYS: None.

NOT PRESENT: Cleator, Schnaubelt, Wilson.

AUTHENTICATED BY:

PETE WILSON

Mayor of the City of San Diego, California.

CHARLES G. ABOELNOUR

City Clerk of The City of San Diego, California.

(SEAL)

By ELLEN BOVARD, Deputy.

Published May 4, 1981

88-5001

Camille Simpson

I, \_\_\_\_\_, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

**RESOLUTION OF INTENTION NO. R-254033**

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

May 4, 1981

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 4th day of May, 1981.

*Camille Simpson*

(Signature)

4 3/8" x 2 x 7.33 = \$64.14

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